

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Steven L. WECHSLER et al.

Appln. No.: 10 046,491

Series Code ↑

Serial No. ↑

Filed: October 29, 2001

Mail Stop AF

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

REPLY/AMENDMENT/LETTER

Date: August 5, 2004

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim		For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment		Highest number previously paid for		Present Extra		Large/Small Entity		Additional Fee		Fee Code Lg/Sm	
A. <input type="checkbox"/> NOT made															
B. <input type="checkbox"/> Withdrawn															
C. <input type="checkbox"/> made herewith															
D. <input checked="" type="checkbox"/> made previously															
2. Total Effective Claims		4		**minus		31		0		x \$18/\$9 =		+ \$0		1202/2202	
3. Independent Claims		1		***minus		3		0		x \$86/\$43 =		+ \$0		1201/2201	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)										+ \$290/\$145 =		+ \$0		1203/2203	
5. Original due Date: September 29, 2004				<input type="checkbox"/> NONE											
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)		\$110/\$55 =						+ \$0				1251/2251	
		(2 mos)		\$420/\$210 =										1252/2252	
		(3 mos)		\$950/\$475 =										1253/2253	
		(4 mos)		\$1,480/\$740 =										1254/2254	
		(5 mos)		\$2,010/\$1,005 =										1255/2255	
7. Enter any previous extension fee paid since above original due date and subtract										- \$0					
8.										Extension Fee		+ \$0			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee										+ \$110/\$55		+ \$0		1814/2814	
10. If IDS attached requires Official Fee under Rule 97 (c),										+ \$180		+ \$0		1806	
or if Rule 97(d) Request										+ \$180		+ \$0		1806	
11. After-Final Request Fee per rules 129(a) and 17(r)										+ \$770/385		+ \$0		1809/2809	
12. No. of additional inventions for examination per Rule 129(b)										x \$770/385 ea		+ \$0		1810/2810	
13. Request for Continued Examination (RCE)										+ \$770/385		+ \$0		1801/2801	
14. Petition fee for												+ \$0			
15.										TOTAL FEE =		\$0			
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".															
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.															
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.															
														PLEASE CHARGE OUR DEP. ACCT	

Our Deposit Account No. 16-1805)

(Our Order No. 081476 307252

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

725 South Figueroa Street, Suite 2800

Los Angeles, CA 90017-5406

Tel: (213) 488-7100

By Atty: Seth D. Levy

Sig:

Reg. No. 44,869

Fax: (213) 629-1033

Tel: (213) 488-7131

Atty/Sec: SDL/kd

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments



PATENT
81476-307252

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re DIVISIONAL application of:

Steven L. WECHSLER *et al.*

Serial No: 10/046,491

Filed: October 29, 2001

For: *A HERPES SIMPLEX VIRUS TYPE 1
(HSV-1)-DERIVED VECTOR FOR SELECTIVELY
INHIBITING MALIGNANT CELLS AND FOR
EXPRESSING DESIRED TRAITS IN MALIGNANT
AND NON-MALIGNANT MAMMALIAN CELLS
(As Amended)*

) Art Unit: 1632

) Examiner: Anne Marie Sabrina Wehbe

I hereby certify that this correspondence is being
deposited with the United States Postal Service
with sufficient postage as first class mail in an
envelope addressed to:

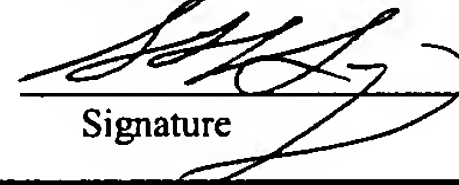
MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

August 5, 2004

Date of Deposit

Seth D. Levy, Reg. No. 44,869

Name



Signature

8/5/2004

Date

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-14350

AMENDMENT AFTER FINAL UNDER 37 CFR 1.116

Dear Sir:

In accordance with 37 CFR 1.116 and in response to the Office Action dated June 29, 2004 in connection with the above-identified application, please consider the following amendment and remarks.